

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
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# PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing  
(day/month/year)

01 AUG 2005

Applicant's or agent's file reference

PI5577PC00

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

PCT/IB04/04060

International filing date (day/month/year)

10 December 2004 (10.12.2004)

Priority date (day/month/year)

10 December 2003 (10.12.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): A63F 9/24 and US Cl.: 463/19

Applicant

WATERLEAF LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US

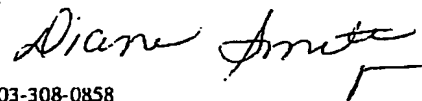
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WRITTEN OPINION OF THE  
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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_. which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-37</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-37</u>	NO
Industrial applicability (IA)	Claims <u>1-37</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-37 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

Claims 1-37 lack an inventive step under PCT Article 33(3) as being obvious over Marnell, II in view of Weingardt. The combination of these references disclose, teach and suggest instrumentalities to perform the bingo-type game claimed herein. For instance, Marnell, II discloses, teaches and suggests a plurality of player stations, see figure 5; a random event generator means, see (33) and (69) and figure 4; a secondary display means therefor (23) and primary display means to simulate a different entertainment game tied to the bingo game, see (28) wherein in Marnell, II this game is poker.

**WRITTEN OPINION OF THE  
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**Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

Claims 1-37 are objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or contents thereof: The preamble of "in accordance with this invention there is provided" is indefinite because "this invention" has no antecedent within the claims. Also, the recitation of "the turn of the different entertainment game having an outcome that is an unfavourable outcome when the outcome of the turn of the game of bingo is an unfavourable outcome, and causing the player to win the same corresponding prize as the game of bingo when the outcome of the turn of the game of bingo is a favourable outcome" is indefinite because it is unclear to one skilled in the art what is being particularly claimed herein.

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**Box No. VIII    Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

The drawings are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 7 because: the drawings don't show the claimed features.